IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

SALAh-DINE CHIBOUT ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP03/007111

FILED: 3 JULY 2003

U.S. APPLICATION NO: 10/518575 35 USC §371 DATE: August 4, 2005

FOR: MARKER GENES

Mail Stop: Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181(a)

Sir:

Applicant respectfully requests withdrawal of the holding of abandonment in the above referenced application.

Applicant states that the Office Action of November 7, 2008 was not received at the correspondence address of record. A search of our records, including any file and the application contents, indicates that the Office Action was not received. A copy of our internal patent docketing database where the non-received Office Action would have been entered had it been received is enclosed. The patent docketing database that Applicant uses is sufficiently reliable and used to track and docket all incoming mail from the U.S. Patent Office. In the file, the last correspondence is the response that Applicant submitted to the Office Action dated June 12, 2008.

Novartis Institutes for BioMedical Research, Inc.

220 Massachusetts Avenue Cambridge, MA 02139 (617) 871-5116

Date:

Respectfully submitted,

Matthew Beaudet Attorney for Applicants Reg. No. 50649

Due Dates on Feb 7 2009

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